

**D E C L A R A T I O N**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or the below named inventors are the original, first and joint inventors (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled METHODS AND COMPOSITIONS COMPRISING DNA DAMAGING AGENTS AND p53, the Specification of which:

       is attached hereto.

X was filed on April 25, 1994 as Application Serial No. 08/233002.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56, which become available between the filing date of the prior application and the national or PCT international filing date of this application:

07/665,538	March 6, 1991	Abandoned
07/960,513	October 13, 1992	Pending
07/987,235	December 7, 1992	Pending
<u>08/145,826</u>	<u>October 29, 1993</u>	<u>Pending</u>

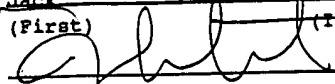
(Application Serial No.)

(Filing Date)

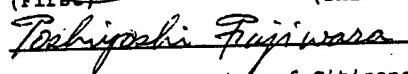
(Status)

I hereby direct that all correspondence and telephone calls be addressed to David L. Parker, Arnold, White & Durkee, P.O. Box 4433, Houston, Texas 77210 (512) 320-7200.

I hereby declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's Full Name: Jack A. / Path  
(First) (Initial) (Last)  
Inventor's Signature:   
Date: 7/15/94 Country of Citizenship: USA   
Residence Address : 2324 Bolsover, Houston TX 77030  
(Include number, street name, city, state, and country)

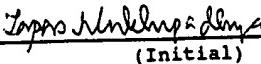
Post Office Address:  
(if different from  
residence address)  
UT MDACC - DEPT OF THORACIC/CARDIOVASCULAR  
SURGERY  
1515 Holcombe - Box 109 Houston TX 77030

Inventor's Full Name: Toshiyoshi Fujiwara  
(First) (Initial) (Last)  
Inventor's Signature:   
Date: 7/26/94 Country of Citizenship: Japan   
Residence Address : 3-1-4 Kadota-honmachi, Okayama 700, Japan  
(Include number, street name, city, state, and country)

Post Office Address:  
(if different from  
residence address)  
First Department of Surgery,  
Okayama University Medical School,  
2-5-1 Shikata-cho, Okayama 700, Japan

Inventor's Full Name: Elizabeth A. / Grimm  
(First) (Initial) (Last)  
Inventor's Signature:   
Date: 7/15/94 Country of Citizenship: USA   
Residence Address : 2324 Bolsover, Houston TX 77030  
(Include number, street name, city, state, and country)  
UTMDACC - TUMOR BIOLOGY

Post Office Address:  
(if different from  
residence address)  
1515 Holcombe - Box 79  
Houston TX 77030

Inventor's Full Name: Tapas Dasgupta Mukhopadhyay  
(First) (Initial) (Last)  
Inventor's Signature:   
Date: 7/15/94 Country of Citizenship: India   
Residence Address :  
(Include number, street name, city, state, and country)  
UTMDACC - THORACIC + CARDIOVASCULAR SURGERY

Post Office Address:  
(if different from  
residence address)  
1515 Holcombe, Box 109  
Houston TX 77030

5  
Inventor's Full Name: Wei-Wei (First) Zhang (Last)

Inventor's Signature: Wei-Wei Zhang  
Date: 7/15/94 Country of Citizenship: A

Residence Address :  
(Include number, street name, city, state, and country)  
UTMDACC - THORACIC & CARDIOVASCULAR  
SURGERY

Post Office Address:  
(if different from  
residence address)  
1515 Holcombe - Box 109  
HOUSTON TX 77030

6  
10 Inventor's Full Name: Laurie B. Owen-Schaub (Last)  
(First) (Initial)

Inventor's Signature: Laurie Owen-Schaub  
Date: 7/15/94 Country of Citizenship: USA

Residence Address :  
(Include number, street name, city, state, and country)

Post Office Address:  
(if different from  
residence address)  
UTMDACC - DEPT OF Immunology  
1515 Holcombe Blvd  
HOUSTON TX 77030

g:\utmdacc\403\pto\dec

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Application of:  
Jack A. Roth  
Toshiyoshi Fujiwara  
Elizabeth A. Grimm  
Tapas Mukhopadhyay  
Wei-Wei Zhang  
Laurie B. Owen-Schaub

Serial No.: 08/233002

卷之三

Examiner: Unknown

Filed: April 25, 1994

卷之三

Group Art Unit: Unknown

For: METHODS AND COMPOSITIONS  
COMPRISING DNA DAMAGING  
AGENTS AND p53

卷之三

Atty. Dkt: UTSC:403/PAR

**ELECTION UNDER 37 C.F.R. SS 3.71 and 3.73  
AND POWER OF ATTORNEY**

Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Sir:

The undersigned, being Assignee of record of the entire interest in the above-identified application by virtue of an assignment recorded in the United States Patent and Trademark Office as set forth below, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventors

The Assignee hereby revokes any previous Powers of Attorney and appoints Louis T. Pirkey, Reg. No. 22,393; Floyd R. Nation, Reg. No. 27,580; William D. Raman, Reg. No. 29,578; J. Paul Williamson, Reg. No. 29,600; Willem G. Schuurman, Reg. No. 29,998; David D. Bahler, Reg. No. 30,932; Daniel S. Hodgins, Reg. No. 31,026; David L. Parker, Reg. No. 32,165; Richard J. Groos, Reg. No. 32,231; William G. Barber, Reg. No. 33,154; Denise L. Mayfield, Reg. No. 33,732; Barbara S. Kitchell, Reg. No. 33,928; Gary J. Sertich, Reg. No. 34,430; Michael S. Metteauer, Reg. No. 34,875; Donald G. Jones, Reg. No. 35,560; Gloria Vaaler, Reg. No. 36,706; Richard D. Egan, Reg. No. 36,788; Amber L. Hatfield, Reg. No. 36,824; Mark B. Wilson, Reg. No. 37,259; and Brian W. Peterman, Reg. No. 37,908; each an attorney or agent of the firm of ARNOLD, WHITE & DURKEE, as its attorney or agent for so long as they remain with such firm, with full power of substitution and revocation, to prosecute the application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, and to receive any Letters Patent, and for one year after issuance of such Letters Patent to file any request for a certificate of correction that may be deemed appropriate.

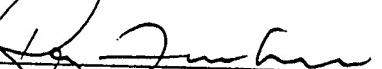
Pursuant to 37 C.F.R. § 3.73, the undersigned has reviewed the evidentiary documents, specifically the Assignment to Board of Regents, The University of Texas System, referenced below, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

Please direct all communications as follows:

David L. Parker, Esq.  
ARNOLD WHITE & DURKEE  
P.O. Box 4433  
Houston, Texas 77210-4433  
(512) 320-7200

ASSIGNEE:

BOARD OF REGENTS, THE  
UNIVERSITY OF TEXAS SYSTEM

By: 

Name: Ray Farabee  
Title: Vice Chancellor  
and General Counsel

Date: Aug 5, 1994

ASSIGNMENT:

Concurrently filed  
 Previously recorded  
Date: —  
Reel: —  
Frames: —